

**ARTICLE 8. ASSAULTS ON PUBLIC SAFETY EMPLOYEES AND VOLUNTEERS AND  
ARIZONA STATE HOSPITAL EMPLOYEES**

**R9-6-801. Definitions**

In this Article, unless otherwise specified:

- 1. “Arizona State Hospital chief medical officer” means the individual appointed under A.R.S. § 36-205 to be the senior health care provider for the Arizona State Hospital.**
- 2. “Arizona State Hospital employee” means the same as in A.R.S. § 13-1210.**
- ~~1.3.~~ “Employer” means an individual in the senior leadership position with an agency or entity for which a named public safety employee or volunteer works or that individual’s designee.
- 4. “Named Arizona State Hospital employee” means the Arizona State Hospital employee who is listed as the assaulted individual in a petition filed under A.R.S. § 13-1210 and granted by a court.**
- ~~2.5.~~ “Named public safety employee or volunteer” means the public safety employee or volunteer who is listed as the assaulted individual in a petition filed under A.R.S. § 13-1210 and granted by a court.
- ~~3.6.~~ “Occupational health provider” means a physician, physician assistant, registered nurse practitioner, or registered nurse, as defined in A.R.S. § 32-1601, who provides medical services for work-related health conditions for an agency or entity for which a named public safety employee or volunteer or named Arizona State Hospital employee works.
- ~~4.7.~~ “Public safety employee or volunteer” means the same as in A.R.S. § 13-1210.
- 8. “Superintendent of the Arizona State Hospital” means the individual appointed under A.R.S. § 36-205 to supervise and direct the activities of the Arizona State Hospital.**

**R9-6-802. Notice of Test Results**

- A. Within 10 working days after the date of receipt of a laboratory report for a test ordered by a health care provider as a result of a court order issued under A.R.S. § 13-1210, the ordering health care provider shall:
  1. If the test is conducted on the blood of a court-ordered subject who is incarcerated or detained:
    - a. Provide a written copy of the laboratory report to the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained; and

- b. Notify the occupational health provider in writing of the results of the test; ~~and~~
- 2. If the test is conducted on the blood of a court-ordered subject who is receiving treatment from the Arizona State Hospital:**
  - a. Provide a written copy of the laboratory report to the Arizona State Hospital chief medical officer; and**
  - b. Notify the occupational health provider in writing of the results of the test; and**
- ~~2.3.~~ If the test is conducted on the blood of a court-ordered subject who is ~~not neither~~ incarcerated or detained **nor receiving treatment from the Arizona State Hospital:**
  - a. Unless the court-ordered subject is deceased, notify the court-ordered subject as specified in subsection (D);
  - b. If requested by the court-ordered subject, provide a written copy of the laboratory report to the court-ordered subject; and
  - c. Notify the occupational health provider in writing of the results of the test.
- B.** Within five working days after the date of receipt of a laboratory report for a court-ordered subject ~~who is incarcerated or detained~~ **specified in subsection (A)(1) or (A)(2),** the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained **or the Arizona State Hospital chief medical officer** shall:
  - 1. Notify the court-ordered subject as specified in subsection (D);
  - 2. If requested by the court-ordered subject, provide a written copy of the laboratory report to the court-ordered subject; and
  - 3. Notify ~~the officer in charge of the correctional facility~~ as specified in subsection (E):
    - a. For a court-ordered subject who is incarcerated or detained, the officer in charge of the correctional facility; and**
    - b. For a court-ordered subject who is receiving treatment from the Arizona State Hospital, superintendent of the Arizona State Hospital.**
- C.** Within five working days after an occupational health provider receives written notice of test results as required in subsection (A), the occupational health provider shall notify:
  - 1. The named public safety employee or volunteer **or named Arizona State Hospital employee** as specified in subsection (D); and
  - 2. The employer as specified in subsection (E).
- D.** An individual who provides notice to a court-ordered subject, ~~or~~ named public safety employee or volunteer, **or named Arizona State Hospital employee** as required under subsection (A), (B), or (C) shall describe the test results and provide or arrange for the court-ordered subject, ~~or~~ named

public safety employee or volunteer, or named Arizona State Hospital employee to receive the following information about each agent for which the court-ordered subject was tested:

1. A description of the disease or syndrome caused by the agent, including its symptoms;
2. A description of how the agent is transmitted to others;
3. The average window period for the agent;
4. An explanation that a negative test result does not rule out infection and that retesting for the agent after the average window period has passed is necessary to rule out infection;
5. Measures to reduce the likelihood of transmitting the agent to others and that it is necessary to continue the measures until a negative test result is obtained after the average window period has passed or until an infection, if detected, is eliminated;
6. That it is necessary to notify others that they may be or may have been exposed to the agent by the individual receiving notice;
7. The availability of assistance from local health agencies or other resources; and
8. The confidential nature of the court-ordered subject's test results.

E. An individual who provides notice to the officer in charge of a correctional facility or superintendent of the Arizona State Hospital, as required under subsection (B), or to an employer, as required under subsection (C), shall describe the test results and provide or arrange for the officer in charge of the facility, the superintendent of the Arizona State Hospital, or the employer to receive the following information about each agent for which a court-ordered subject's test results indicate the presence of infection:

1. A description of the disease or syndrome caused by the agent, including its symptoms;
2. A description of how the agent is transmitted to others;
3. Measures to reduce the likelihood of transmitting the agent to others;
4. The availability of assistance from local health agencies or other resources; and
5. The confidential nature of the court-ordered subject's test results.

~~F. An individual who provides notice under this Section shall not provide a copy of the laboratory report to anyone other than the court-ordered subject and, if the court-ordered subject is incarcerated or detained, the chief medical officer of the correctional facility.~~

F. An individual who provides notice under this Section shall not provide a copy of the laboratory report to anyone other than the court-ordered subject and:

1. For a court-ordered subject who is incarcerated or detained, the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained; and

**2. For a court-ordered subject who is receiving treatment from the Arizona State Hospital, the Arizona State Hospital chief medical officer.**

- G.** An individual who provides notice under this Section shall protect the confidentiality of the court-ordered subject's personal identifying information and test results.
- H.** A health care provider who orders a test on the blood of a court-ordered subject who is **not** **neither** incarcerated or detained **nor receiving treatment from the Arizona State Hospital** may, at the time the court-ordered subject is seen by the ordering health care provider, present the court-ordered subject with a telephone number and instruct the court-ordered subject to contact the ordering health care provider after a stated period of time for notification of the test results.
- I.** A health care provider who orders a test has not satisfied the obligation of the health care provider to notify under subsection (A) if:
1. The health care provider provides a telephone number and instructions, as allowed by subsection (H), for a court-ordered subject to contact the ordering health care provider and receive the information specified in subsection (D); and
  2. The court-ordered subject does not contact the ordering health care provider.
- J.** A health care provider who orders a test on a court-ordered subject's blood shall comply with all applicable reporting requirements contained in this Chapter.